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SALEM LOAN & TRUST CO. v. KELSEY.

Sept. 11, 1913.

[79 S. E. 329.]

1. Appeal and Error (§ 80*)—Decisions Reviewable—“Final Order.”—Under Code 1904, § 3454, authorizing writs of error to review final orders, a “final order” is one which disposes of the whole subject, gives all the relief contemplated, provides with reasonable completeness for giving effect to the sentence, and leaves nothing to be done in the cause, save to superintend ministerially the execution of the order.

[Ed. Note.—For other cases, see Appeal and Error, Cent. Dig. §§ 429, 433, 450, 456, 457, 494-509; Dec. Dig. § 80.* 1 Va.-W. Va. Enc. Dig. 437; 14 Va.-W. Va. Enc. Dig. 62; 15 Va.-W. Va. Enc. Dig. 53.

For other definitions, see Words and Phrases, vol. 3, p. 2802.]

2. Appeal and Error (§ 110*)—Decisions Reviewable—Final Order.—Where, in a proceeding on three notes, there was a verdict for defendant, which was set aside and a new trial awarded as to two of them, an order denying the motion to set aside the verdict as to the third note was not a “final order,” and could not be reviewed on error, since it showed on its face that the issues as to the larger portion of the demand sued for were still undetermined, and that as to that portion there was to be a new trial.

[Ed. Note.—For other cases, see Appeal and Error, Cent. Dig. §§ 740-748; Dec. Dig. § 110.* 1 Va.-W. Va. Enc. Dig. 437; 14 Va.-W. Va. Enc. Dig. 62; 15 Va.-W. Va. Enc. Dig. 53.]

Error to Law and Chancery Court of City of Roanoke.

Proceeding by the Salem Loan & Trust Company against one Kelsey. To review an order setting aside a verdict for defendant in part and denying such relief in part, plaintiff brings error. On motion to dismiss the writ of error. Motion sustained.

A. E. King, and *Poindexter & Hopwood*, all of Roanoke, for plaintiff in error.

Jackson & Henson, of Roanoke, for defendant in error.

*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.